

## EXHIBIT 1

## Town of Milan Comprehensive Plan

### 1. Introduction

#### Chapter Highlights:

According to New York State law, municipal zoning and land-use decisions must derive from a comprehensive plan that reflects the values and priorities of the community. After it was established in April 2004, the Comprehensive Plan Board worked diligently to ascertain the values and priorities of the community through broad public participation. Both the Comprehensive Plan Board and the Town Board received extensive public comment and this has been used as the basis for recommendations regarding Milan's future land use.



## Town of Milan Comprehensive Plan

### 1. Introduction

#### Introduction to the Comprehensive Plan Report

The Milan Comprehensive Plan Special Review Board (CPB) was established by action of the Milan Town Board on April 12, 2004. The CPB was mandated “to develop a Comprehensive Plan for the Town of Milan, such Plan to be adopted in all or in part by the Town Board. The Milan Comprehensive Plan Special Review Board is directed to review existent material consisting of but not limited to the Master Plan of 1986 and all work done by a comprehensive planning committee during the years 2000 to 2001.”

It is important that Milan update its plan at this time in light of the following:

- It has been 18 years since the last Master Plan was adopted.
- Population growth in Milan has been more rapid than was projected in 1986, and it appears we stand on the threshold of even faster growth.
- The largest development in the history of Northern Dutchess County has recently been proposed. It consists of a major golf and second home resort on Milan’s eastern boundary with Pine Plains. Initial plans have suggested the addition of 975 homes, some of which would be on the 400 acres that lie in Milan.
- Development pressure is expanding north from the New York metropolitan area following the Taconic State Parkway. The areas in southern and mid-Dutchess County have already experienced a major impact, and there is a marked increase in subdivision activity in Milan.
- Large parcels, which were prior generation farms, are coming on the market with major subdivision development proposals planned.
- New proposals for development along the Route 199 corridor are being discussed.
- Commercial/industrial development, zoning, and environmental protection issues have become important.
- The comprehensive plan process in 2001 was not completed.
- Towns adjoining Milan, i.e., Pine Plains, Red Hook, and Rhinebeck, are experiencing some of the same growth issues and are either in the process of updating or completing their Comprehensive Plans.

The CPB was initially chartered to consist of nine citizens, including a chair. Eight people were initially appointed by the Town Board, leaving one open spot. Two appointees found it necessary to resign due to other time commitments. We completed our work with six members: Jack Grumet, Bill Jeffway, Sheila Margiotta, Ray Pozzi, Ross Williams (chair), and Phillip Zemke. Each member took responsibility for at least one committee that included Infrastructure and Services, Natural and Cultural Resources, Economic Opportunities and Commercial Development, Housing Opportunities and Residential Development, Land Use Implementation, and Publicity and Publication.

Additional citizens of Milan in turn, staffed these committees. A total of 25 people served on the CPB and its committees during the process.

The *New York State Local Government Handbook* includes the following description of a Comprehensive Plan in Chapter XVI, Land Use and Planning:

Comprehensive planning can (and should) be performed by all municipalities, whether or not a set of land use controls is the result. Comprehensive planning logically forms the basis of all efforts by the community to guide the development of its governmental structure as well as its natural and built environment. Nonetheless, the most significant feature of comprehensive planning in most communities is its foundation for land use controls.

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Most successful planning efforts begin with a survey of existing conditions and a determination of the municipality's vision for the future. This process should not be confused with zoning or other land use regulatory tools. Instead, the comprehensive plan should be thought of as a blueprint on which zoning and other land use regulations are based.

The State statutes define a comprehensive plan as “the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development” of the municipality (General City Law §28-a(3)(a); Town Law §272-a(2)(a); Village Law §7-722(2)(a)). While the use of the state comprehensive plan statutes is optional, they can guide boards through the comprehensive plan process. (General City Law §28-a; Town Law §272-a; Village Law §7-722). An important component of the process is public participation. Under the statutes, this occurs both formally, through mandatory hearings held by the preparing board and by the legislative body prior to adoption of the plan, and through the informal participation of the public at workshops and informational sessions.”

The current Master Plan was adopted in 1986, and it formed a solid base from which the current CPB could begin its work. That document had a great deal of valuable background information about Milan and made a number of recommendations, some of which were adopted over the course of the last 18 years. We chose to update background information and to provide historical references in appendices rather than in the body of our report. The current CPB decided to review issues anew and create a new Comprehensive Plan for Milan.

#### Public Participation

Comprehensive planning work that was initiated by the Town in the year 2000, aided by Greenplan, Inc., a municipal consulting organization, was reviewed. Of particular use was the Community Values Survey that had been returned by 26% of Milan's citizens (roughly 450 respondents), a very high return rate for this type of mailed survey. Of the respondents, 55% indicated that they had lived in Milan for over 10 years. There appeared to be a roughly proportional representation of non-permanent residents (“weekenders”) in the survey. Very strong preferences were expressed to retain Milan's rural character, control development, and protect the Town's environmental resources. (It is interesting to note the high degree of correlation to the results of the survey reported in the 1986 Master Plan, also included in the appendix.) Further, a Community Preference Survey using visuals was completed in a workshop conducted by Greenplan. That survey provided more specific understanding regarding the type of development the citizens of the Town preferred. The CPB confirmed these results in public forums conducted in May 2004, and concluded that the data collected in 2000 was still a valid reflection of the views of Milan's citizens. The CPB decided to utilize this data rather than conduct new surveys in view of the significant response rate and in the interests of time and objectivity.

The CPB conducted two public forums in May 2004 to give Milan citizens a further opportunity to define what they liked most about the Town, what they wanted to preserve, the concerns or hopes they had for the future of Milan, and to suggest specific ideas for the future. There was a high degree of consensus when people were asked for their top priority: the rural, quiet character of the town with its open and wooded landscape was the dominant theme. Concerns about the future focused on environmental protection, control of growth and zoning. The results of these forums, as well as the data from the surveys noted above, are included for reference in the appendices to this report.

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Further input was sought from the public through a booth manned by CPB members at Community Day in September 2004. A regional workshop, conducted in October 2004, was attended by four neighboring towns and representatives of the Dutchess County Planning and Development Department, State Senator Leibell's office, and the Greenway Council. The participants provided valuable guidance and helped to prioritize the 3 top issues for the Milan Comprehensive Plan. These can be summarized as:

- 1) Plan for open space . . . avoid sprawl.
- 2) Avoid "cookie cutter" zoning.
- 3) Keep dialogue open with surrounding towns and continue intermunicipal cooperation.

The Commissioner of the Dutchess County Department of Planning and Development, Roger Akeley, endorsed the use of several of the new planning and zoning concepts outlined in this document. He specifically commented on avoiding sprawl, the importance of compact growth centers to the preservation of rural character, and the importance of requiring preservation of open space in development regulations.

The CPB conducted three public workshops (two in November 2004, and one in January 2005) to review the preliminary recommendations of the Board with the community. The workshops focused on four concepts, which will be discussed in subsequent chapters:

- 1) The establishment of a maximum desired density for the purposes of town planning.
- 2) The creation of priority growth area(s) in the town.
- 3) The establishment of a large lot zoning overlay zone (a Rural Space Overlay Zone).
- 4) The establishment of Planned Purpose Development districts for two purposes: traditional walking neighborhoods and senior housing/assisted living.

The public provided substantial support for these new directions. The most common concern noted was population density. Two of the sessions also reviewed individual committee recommendations in breakout groups. Again, the public was highly supportive of the committee's directions.

A draft of the plan was prepared and delivered to the Town Board for review on March 11, 2005. It was simultaneously made available to the public at no charge through the Town web site, at Town Hall and in the local libraries.

On April 9, 2005 the CPB Chair participated in a Lafayetteville community discussion sponsored by the Town Supervisor. This discussion occurred in a heated environment due to the publication of an anonymous opposition flyer that misstated the contents of the CPB's draft plan. A committee of volunteer citizens met with the Supervisor the next week to discuss what they would like to see going forward for Lafayetteville. The meeting was well attended and valuable feedback was received by the CPB, which has been incorporated into this recommended plan.

Public hearings were held on April 14 and April 16, a weeknight and a Saturday morning, to permit as many to attend as possible. A total of 43 people made 54 comments at these sessions, with many others present to listen. A majority of the total comments were positive, and a large proportion of the speakers were supportive of the plan. The CPB considered all comment, both positive and negative, made in the Public Hearings. A record of those comments is provided in the appendix. CPB responses regarding some of the issues raised are also provided in the appendix.

A major study of gravel and sand resources in Milan, conducted by a consulting geologist hired by Red Wing Sand and Gravel, was submitted at the final public hearing on April 16, 2005 and a meeting with the CPB was suggested by Art Brod, a consultant retained by Red Wing. Despite the late submission of this information, the CPB invited Red Wing representatives to make a presentation to the CPB and the



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public on April 26. The main points of that presentation and related public comment have been incorporated into the plan.

The Town Board received the Comprehensive Plan Board's Report on May 9, 2005. Public hearings were conducted on August 20 and 23. A total of 72 speakers (excluding second-time speakers) made comments: 71% were completely supportive of the plan as reported; 19% opposed one or more aspect of the plan (most commonly the Rural Space Overlay zone, 14%); and the balance (10%) raised questions, were undecided, or made other comments.

Subsequent to the August hearings, major changes were proposed by the Town Board and a new draft plan circulated for comment and additional public hearings. The modified plan failed to gain the needed majority after Dutchess County Planning required it obtain a majority plus one to pass. With new Town Board members taking office January 1, 2006, the original CPB report was accepted by the Town Board, minor amendments were made, and the process for adoption -- Dutchess County Planning review, public hearings, and Milan Planning Board comment -- was renewed.

A mailing was sent to all citizens in advance of each of the major public participation events—the public forums in April 2004, Community Day in September 2004, public workshops in November 2004 and January 2005, and the public hearings in August 2005 and January 2006. In each case the mailing reported the current status and findings of the plan, invited all citizens to the events, and reiterated the availability of materials on the web site. Citizens were encouraged to attend meetings and make comment in person, through e-mail, or in writing. In addition to comments at meetings, approximately 50 e-mails containing suggestions and comments were received during the development of the plan, and more were received after the CPB report was published; they were overwhelmingly positive regarding the plan and its importance to Milan.

#### The Plan's Organization

The next two chapters of this plan address the overall issues; later chapters deal with the issues in depth.

Chapter 2 addresses the following issues:

- 1) The values and priorities identified from all of the sources of community input.
- 2) The central vision and goals of the overall Comprehensive Plan.
- 3) An overview on growth, density and residential build-out and their impacts.
- 4) The central findings of the CPB's research.

Chapter 3 is the CPB's response to the central findings in Chapter 2. Chapter 3 provides an overview of the more significant new directions recommended in this document. These are discussed further in subsequent chapters, which report on each committee's research and analysis. Their work draws on the results of the surveys, public forums, workshops and hearings, and other citizen input to formulate the CPB's recommendations.

Five appendices have been prepared to document the Comprehensive Plan process. While the materials therein are not part of the Comprehensive Plan as adopted by the Town Board, they are made available for future reference by the citizens of Milan. Included in the five appendices are:

- A) Maps of the Town, its features and the proposals being made in the plan.
- B) Data from the public surveys, forums and workshops, and the public hearings.
- C) Background papers and data, plus information from the 1986 Master Plan, as appropriate.

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D) CPB meeting agendas and minutes.

E) Materials subsequent to CPB Report, including transcripts and minutes of Public Hearings

Appendix A, containing the maps, is included with this document. The others are in separate packages available at Milan's Wilcox Memorial Town Hall. The information in the remaining four appendices is quite bulky and is not included. However, the information is available at Town Hall for review by anyone who requests it.

#### Initial Transmittal to the Town Board and the People of Milan

The members of the Milan Comprehensive Plan Special Review Board appreciate the time the Town Board has taken to attend four Joint Board Workshops. These meetings provided us with valuable feedback and questions as the plan was developed. We take great pride in presenting this Comprehensive Plan to our fellow Milan citizens and to the Town Board of the Town of Milan. We expect that following appropriate reviews and comment this plan will be adopted by the Town Board to guide our community planning for many years in the future. However, this plan should not remain as an unchanging document. As more information becomes available, as land planning techniques improve, and as land is developed in Town, the Comprehensive plan will need to change. To ensure that it continues to express the dreams and wishes of the people that call Milan home, we recommend that the adopted plan receive a review and update at intervals no greater than five years.

Jack Grumet \_\_\_\_\_

Bill Jeffway \_\_\_\_\_

Sheila Margiotta \_\_\_\_\_

Ray Pozzi \_\_\_\_\_

Ross Williams \_\_\_\_\_

Phillip Zemke \_\_\_\_\_

May 3, 2005

#### Final Adoption of the Town of Milan's Comprehensive Plan

The members of the Town Board are pleased to complete the long and sometimes grueling process of adopting a new Comprehensive Plan for Milan. We congratulate the members of the Milan Comprehensive Plan Special Review Board on the quality of their work; we thank them for the extensive time they invested and for their contribution to the future of our community.

January 26, 2006

*Milan's Comprehensive Plan was initially adopted on January 26, 2006 and was ruled void by Justice James V. Brands, Supreme Court of New York, Dutchess County because of procedural errors. The Comprehensive Plan, redated 2007, and containing this paragraph, was reintroduced March 12, 2007.*

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Adopted August 13, 2007



## Town of Milan Comprehensive Plan

## 2. Central Findings

### Chapter Highlights:

Milan's citizens value the rural quality of life the Town offers and want to keep Milan rural. Underlying the rural character of Milan is its rugged and varied topography, environmental resources and open space. Explosive growth threatens our rural character and risks causing ever higher taxes to support our schools. Milan's current zoning is outmoded and does not enable us to protect the environmental resources and rural residential character so valued by residents.



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## 2. Central Findings

## Central Findings of the Comprehensive Plan Board

## A. Introduction

Milan's citizens have spoken clearly about what they want for the future of their Town. Repeatedly, in surveys, in public forums, workshops, letters, e-mails and conversation, as documented in the appendices to this report, people speak up to say that they live here because of the rural character of the Town. Protecting the rural residential quality of life, the environment, and the scenic beauty of the Town is *the* priority. Rather than talk about the need for jobs or business opportunities, the very large majority of people talk about Milan as a residential community, as a Town between other towns that provide those opportunities. Residents see Milan as a Town whose topography and transportation infrastructure are not conducive to commercial enterprise other than small, local, service-oriented establishments. Residents want to protect and retain the natural beauty and serenity of their rural residential community.

The values and priorities of the Town have been summarized and reviewed in numerous surveys, forums, workshop, presentations and meetings. They are as follows:

- 1) Maintain the rural character of Milan.
- 2) Remain (primarily) a Residential Community.
- 3) Enable small-scale and limited commercial activity.
- 4) Protect open space and natural resources.
- 5) Keep Milan affordable and accessible to current residents.

## B. Existing Conditions and Trends

Growth and consequent impacts on the environment and the community, given today's zoning and land-use regulations, threaten the realization of the values and priorities Milan citizens have expressed. The following discussion of existing conditions and trends addresses environmental resources protection, population growth, the potential future build-out of Milan, taxes and new zoning concepts.

1) Environmental resources protection. Milan has a very rugged and varied topography, with numerous streams and wetlands, steep slopes, ridgelines, wildlife and habitats. Sole source aquifers supply Milan's drinking water; our water resources affect downstream water quality through the watersheds to our west and south in Dutchess County. These environmental resources contribute to Milan's natural beauty, attractiveness, and rural character. That's why Milan residents rate protection of our environmental resources as a very important priority for the future. Yet we have few protections in place for these important resources of our Town. We do not know today what exists in a comprehensive way, as Milan is one of the few towns in Dutchess County that has not completed a Natural Resources Inventory (our Conservation Advisory Council is in the process of doing this work). Wetlands in some areas of town have not been mapped. Protection of our environmental resources should guide where and how we permit development.

2) Population. The current population of Milan is approximately 2,527. Milan's natural beauty, proximity to the New York metropolitan area and location along the Taconic State Parkway are causing dramatic growth, rising land and home prices, and dramatically increasing rates of development. As depicted in Table 2.1, Milan grew significantly faster in the decade of the 1990s than any of our surrounding towns, and more than three times as fast as their average growth rate. Rapid growth is continuing, with the estimated population of Milan increasing more than 7% in the three years since the last census in 2000. This increase exceeds previous estimates of population growth by a wide margin.

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## 2. Central Findings

Table 2.1 Milan Area Population Growth

<u>TOWN</u>	<u>1990</u>	<u>2000</u>	<u>% Change</u>	<u>Est. 7/1/2003</u>	<u>% Change</u>
Milan	1,875	2,356	25.7%	2,527	7.3%
Clermont	1,443	1,726	19.6%	1,798	4.2%
Pine Plains	2,287	2,569	12.3%	2,674	4.1%
Red Hook	9,565	10,408	8.8%	10,990	5.6%
Clinton	3,760	4,010	6.6%	4,168	3.9%
Rhinebeck	7,558	7,762	2.7%	8,118	4.6%
Stanford	3,495	3,544	1.4%	3,708	4.6%
Gallatin	1,658	1,499	-9.6%	1,471	-1.9%
TOTAL	31,611	33,874	7.2%	35,454	4.7%

Source: New York State Data Center web site, 10/28/2004

<http://www.nylovesbiz.com/nysdc/popandhous/ESTIMATE.asp>

The data in Table 2.1 represents census population and estimates; it does not fully account for the population of second home owners who reside elsewhere and are not counted in Milan's census statistics. This data also does not include the pending development in Town. In 2004 there was a dramatic increase in the number of applications for residential site approvals, from an average of under 20 a year over the last 10 years, and 23 in 2003, to 72 in 2004. This does not include any activity from the proposed (but not yet detailed) application expected from the Durst Corporation for the Carvel property, which at the time of initial announcement proposed 975 homes on the property, which lies along the border of Pine Plains and Milan.

The population density in Milan at the time of the 2000 census was approximately 65 people per square mile, the lowest in Dutchess County. When the population represented by second home owners is included, the density is approximately 80 people per square mile. New York State defines a rural community as one with a population density of less than 150 people per square mile. With appropriate land use controls, we can roughly double our population and remain "rural" by the state's definition. However, statistical analysis of population density is only one aspect of defining and protecting rural character.

3) Development patterns: Historically, Milan has been a rural town consisting of primarily farms and woodlands, with small areas of more compact development in hamlet centers located at key intersections. Agriculture's role in Milan's land use has diminished substantially and today few traditional farms remain. Residential development has shifted to the open countryside and away from the hamlet centers.

The Town Zoning Code encourages compact mixed-use development in the hamlets. Lafayetteville and Rock City were formerly centers with greater vitality than exists today: each can be revitalized with flexible planning and controlled development options. The proximity of Lafayetteville to the planned golf and recreation community on the former Carvel property and its location between the Taconic State Parkway and Pine Plains suggests growing pressure for hamlet development in the future. Effective planning in Rock City will require intermunicipal coordination and planning with the Towns of Red Hook and Rhinebeck.

4) Build-out analysis. Using 2003 data, the Dutchess County Environmental Management Council completed a build-out analysis for the northern Dutchess communities. Table 2.2 shows that Milan has over 9,800 buildable acres (buildable acres subtracts land that cannot be built on because it is protected, is

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too steep or too wet, or for other reasons) spread across its various zoning districts. Using a standard 20% reduction to reflect the needed addition of infrastructure to support development, and to allow for odd lot size in some cases, the maximum number of potential new lots is then calculated by dividing the acres by the minimum lot size. In Milan's case, this would yield an additional 2,356 building sites.

Table 2.2 2003 Milan Build-Out Analysis

Zone	Min Lot Size	Total Buildable Acres	Minus 20%	Potential New Lots
A3A	3	4,587	3,669	1,223
HA	1	230	184	184
LC	5	58	47	9
R2A	2	631	505	252
A5A	5	4,299	3,439	688
TOTAL		9,805	7,844	2,356

Our current residential sites number nearly 1,100, so the total residential sites, if built out, would be approximately 3,450. If our density today is 65 people per square mile, this would suggest that Milan could grow to a density of around 200 people per square mile, not including second home owners; if they are included, the density rises to approximately 250 people per square mile. Of course, such build-out projections are theoretical and long-term. However, the magnitude of the build-out indicates that under our current zoning we would at some future time become a suburban community, no longer "rural"

5) Taxes. A Marist College study completed in 2001 for the Town of Unionvale, when reconstructed for Milan, shows that the town is well positioned in the efficient use of its tax base, compared to other towns in Dutchess County. A significant finding of the study was that such tax health is directly correlated with density of population in Dutchess County. As population density increases, there are more demands on town services. In their comments on the plan, many residents have expressed concern about the cost of property taxes in Town.

The significant driver of property taxes is the support of our school districts. Using state measurements that exclude debt service, transportation, and special education, the three school districts serving Milan have roughly the same cost of educating a child, around \$7,000 per year. Red Hook has published a planning document for use with its municipal officials which states that a typical new home has 1.5 children, who cost the school district \$10,350 each year. In Milan, a new house would have to be assessed at approximately \$600,000 to provide that amount of tax revenue and break even on school taxes. Houses assessed at less than that add to the taxes paid by others in the school district. Rapid development of average-priced homes brings with it increased taxes to educate the added students. Rapid development also causes the need to build new school facilities and buy more buses, which is over and above the cost of education as defined above. Clearly, there is little a school district can do to control development—that power rests with the municipal officials in the Towns they serve. We see the impact of school taxes in Table 2.3 below.

Table 2.3 Town of Milan Taxes 1999–2004

	Year 1999	Year 2003	Year 2004	One-year Increase	Five-year Increase	% total 2004
Total tax levy	4,125,863	4,742,330	5,413,765	14.2%	31.2%	100.0%
County	680,417	565,164	689,923	22.1%	1.4%	12.7%
School	2,926,949	3,519,189	4,015,549	14.0%	37.2%	74.2%



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Town & district	518,496	657,977	708,293	7.6%	36.6%	13.1%
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There are essentially two ways to slow school tax growth. One relates to residential development. Rapid residential development brings large numbers of new students to the community, but the average new home pays less in school taxes than the cost of education. By slowing residential development, school taxes will rise less rapidly. On the other side of this equation is the addition of new, large-lot homes that more than pay their way in taxes.

A second way to influence residential tax growth is through added commercial development, which provides some additional tax revenue. However, it is important to understand the limited impact of commercial development on the tax base. The Red Hook School Board report highlights that the new Hannaford Market's annual taxes pay for the education costs of only 24 students. It takes a lot of commercial development to meaningfully affect taxes. Milan citizens have made clear that they do not want large-scale development and that they want to protect Route 199 from strip development. With the exception of the Route 199 corridor, the topography and road system of Milan are such that there are few areas of town that are conducive to commercial development.

6) New zoning concepts. A great deal of change is now underway across our county, state, and nation with respect to zoning regulations. Zoning grew largely out of the desire to manage the explosive suburban growth that occurred after World War II. What has been learned the hard way is that traditional zoning, which sets fixed lot sizes and uses in discrete areas of a municipality, causes sprawl, suburbanization, and destruction of our landscapes. The consequences of traditional suburban-style zoning do not contribute to our rural quality of life. New, more flexible approaches to the management of growth and development are gaining rapid acceptance, and can help us to maintain Milan as the rural residential community our citizens want for their future.

## C. Goals and Visions

The following goals and visions for Milan's future growth reflect the values and priorities of the citizens as recorded at numerous workshops and forums:

1) Maintain the rural character of Milan.

Rural can be described as a landscape where the predominant feature is the natural environment such as open space, farmland, woodlands and water bodies, and the intrusion of development is minimal. In rural areas, population density is low and commercial and residential uses are concentrated in villages or hamlets. When the residents of Milan are asked what they mean by "rural," they have varying responses: To some it is open fields and active agriculture; to others it is forested slopes, undisturbed wetlands and ample wildlife habitat. To some, rural implies historical agricultural structures and fences along the road; to others, rural means dark skies at night, quiet and solitude. Most embrace all of these as elements of rural character. Protection of these natural resources is an important aspect of preserving Milan's rural character.

Relatively low population density is one element of rural character. New York State classifies rural as less than 150 residents per square mile. Milan, depending on whether "weekenders" are included, has a density today of 65 to 80 people per square mile, the lowest in Dutchess County. If full build-out were permitted, the Town would approach a density of 250 people per square mile, and much of its rural character would be lost. Milan has room to grow, but future density must be restrained if Milan is to protect its environmental resources and remain rural. Uncontrolled growth is the antithesis of rural character.



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## 2. Central Findings

2) Remain (primarily) a Residential Community.

With its hilly, rocky terrain, large and numerous wetlands, and with only one major road (Route 199) on which commercial activity is feasible (and portions of that pass through sensitive environmental lands), there is consensus that Milan is not conducive to commercial and industrial development. People want to see Milan remain a predominantly residential community because the impacts of any substantial amount of highway business and light industrial activity will directly affect the quality of life in residential areas or will cause more intense development along Route 199 than is desirable.

The Town's two hamlets along Route 199, Rock City and Lafayetteville, are primarily residential, although they do have limited commercial mixed use. Lands off the highway have, in the past, converted from agriculture to open space (or remained undeveloped) due to the lack of prime farmlands and the difficult topography. Development of these lands, driven by the classic suburban zoning model that eats up space and creates sprawl, threatens the Town's vision of its future as a rural community. Keeping our rural land rural requires a change of development patterns in the Town. Milan must protect more of its open space and environmental resources, constrain the growth of residential units, and sensitively locate development if it is to maintain its rural character.

3) Enable small-scale and limited commercial activity.

The Town is not opposed to commercial activity; however, residents indicate a strong preference for commercial activity that serves the people of Milan. Focusing commercial activity in the mixed-use environment of the hamlets and in home-based businesses, with limited, well-designed highway business activity along Route 199, is consistent with the vision Milan residents have for our town.

4) Protect open space and natural resources.

Important elements in our rural character are the quality of our water resources and our natural landscape. Milan citizens want to see their environmental resources protected. Water resources and wetlands, open space, ridgeline vistas, steep slopes, and contiguous habitat protections are all highly valued. Frequently mentioned are dark skies at night and the quiet that still remain in Milan, but have vanished in other areas due to insensitive and uncontrolled growth.

5) Keep Milan affordable and accessible to current residents.

Three elements affect affordable housing:

- 1) The need to control property tax growth.
- 2) The need for senior living opportunities.
- 3) Availability of affordable housing.

These issues should complement one another in the Town's planning. Without large-scale commercial development, constraint on rising taxes (heavily influenced by school taxes and, in turn, by the expansion of moderately priced residential housing) depends on the development patterns permitted by the zoning and subdivision regulations adopted by the Town Board.

People in Town value a diverse community. It is important that the Town continue to provide the opportunity for moderate-income families to own homes in Milan; affordable housing to support young families and our municipal workforce is needed. Such housing opportunities can best be provided on smaller lots in traditional neighborhoods. Growth of this nature in compact small neighborhoods is

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consistent with classic rural development patterns, which have unfortunately been lost in the zoning practices of the last half century. Milan is fortunate to be able to respond to and modify such development patterns for the future.

### D. Summary

Milan today is at a crossroads. It is a rural and primarily residential community with significant natural assets. The Town's rural character is being challenged by growth, growth that has been significant over the last decade and, from current indications, is accelerating. The Town Board, in choosing to update the Comprehensive Plan at this time, has directed the community's attention to planning for the future and new directions to realize its goals and visions. The findings of the CPB's research and the directions embraced by our citizens have resulted in an integrated set of recommendations to accomplish the values and priorities of Milan residents. Subsequent chapters detail the CP recommendations, beginning with a chapter that outlines course changes in land-use management policies that will enable the Town to retain Milan's rural residential character.

**Town of Milan Comprehensive Plan****3. Course Changes for Milan**Chapter Highlights:

If we are to protect our environmental resources—our water and wetlands, forested slopes, open space and scenic vistas—Milan must enact strong new environmental regulations and zoning changes. Under current zoning, rapid growth and increasing population density promote development patterns that threaten to create sprawl. The CP endorses current zoning that encourages compact development in Milan's small hamlets and recommends a new zoning concept -- planned purpose development -- to further the availability of senior and affordable housing, and the development of traditional walking neighborhoods. The CP also recommends creating a rural space overlay zone to require large-lot zoning with conservation subdivisions across the remaining rural residential landscape of Milan.



**Town of Milan Comprehensive Plan****3. Course Changes for Milan****Course Changes for Milan****A. Introduction**

Today the Town of Milan is faced with the dilemma of rapid and accelerating growth and land development, and the need to protect the town's natural resources and preserve its rural character. After careful study and analysis of modern techniques for managing growth and avoiding sprawl, the CPB recommends a number of initiatives and new zoning concepts, tailored specifically for Milan, that we believe will enable the Town to manage growth while maintaining our rural character. The proposed CPB initiatives will provide a diversity of housing opportunities and will permit reasonable residential growth and the development of small-scale commercial activity. The concepts discussed below are discussed more fully in later chapters.

**B. Environmental Protection Regulations**

The Comprehensive Plan Board endorses a science-based approach to the location of development in Town in a way that protects our environmental resources. We believe that doing so complements our ability to maintain the rural character so important to Milan citizens. (Recommendations regarding the protection of natural resources will be detailed in that chapter.) Two concepts new to Milan are important to mention here. First, the development of a comprehensive natural resource inventory will provide the scientific basis for the Conservation Advisory Council (CAC) to contribute to the Planning Board's subdivision and site plan review processes. The CAC will be able to better assess the environmental constraints of land proposed for development, particularly when clustering or conservation subdivisions are proposed. This provides another tool to aid in the protection of sensitive environmental or natural resources.

Second, the CPB recommends adoption of critical environmental areas, a concept enabled under the NYS Environmental Quality Review Act. When adopted through local resolutions, critical environmental area designations provide that special consideration be given to designated areas when development that could affect them is proposed.

**C. New Zoning Concepts**

The CPB recommends three new concepts to address the problems of traditional zoning practices and to provide more flexibility and direction to future development. Each will require further study to prepare and adopt new regulations.

**1) Add a zoning classification for Planned Purpose Developments (PPDs) for three specific uses:**

- senior living
- affordable housing
- mixed-use traditional neighborhoods focused in the historical hamlets.

Planned Purpose Developments can work to the mutual benefit of the Town, the residents, and a proposed sponsor. Today in Milan, however, no provisions in our zoning regulations provide the flexibility to reasonably accommodate such potential land uses. As proposed, Planned Purpose Developments would take effect only when a landowner, in concert with a developer, proposes one of the three planned uses listed above on one or more properties; the proposal must then meet with the Town's approval. Absent an initiative by a landowner to pursue a Planned Purpose Development, existing zoning remains in effect; the landowner's rights are in no way curtailed.

**Town of Milan Comprehensive Plan****3. Course Changes for Milan**

Under the concept of the Planned Purpose Development, the normal zoning regulations, while available as a guide, can be modified for purposes of greater design flexibility to meet the needs of the Town, the affected residents and the developer. Because of the importance of such developments to the Town, the CPB recommends that they be reviewed and recommended by the Planning Board for approval by the Town Board. Enabling legislation for the three types of Planned Purpose Development should incorporate criteria for consideration by the Planning Board and the Town Board in reviewing specific applications.

2) Create a Rural Space Overlay Zone to further limit the development of large undeveloped parcels. We recommend that all residentially zoned parcels of more than 20 acres, except those in the hamlet districts, be assigned to the overlay zone if not otherwise protected. Parcels in the proposed Rural Space Overlay Zone can still be subdivided with one subdivision for each 10 acres. The rural space overlay zone is intended to protect our environmental resources, avoid sprawl, and maintain the rural residential character of the Town.

The CPB proposes an overlay zone rather than simply rezoning to larger parcels throughout town. An overlay zone means we do not need to change our underlying zoning. It also protects small landowners' use of their property and allows them to subdivide for family members or other uses. Rather than focus large lot zoning in one area of town, the entire town benefits by maintaining some of the existing open space across town.

By creating a Rural Space Overlay Zone, the Town can also balance the compact development pattern in the two hamlet areas with limited density in most of the rest of the Town. This zoning provision, when coupled with conservation subdivisions, discussed below, will provide powerful tools to protect the natural resources and the rural character of the town, while also reducing the potential build-out and future density of Milan.

3) Incentive or bonus zoning is another concept that provides a tool for the Town to accomplish its objectives to provide housing for moderate-income families or for senior citizens. Incentive zoning allows large developers to have greater density on the property (consistent with good design and environmental constraints) in exchange for providing some units that can be sold or rented at a reduced cost. The CPB recommends that the Planning Board be given the authority to grant incentive zoning to developers proposing major subdivisions. In such cases, an agreed number of smaller or less expensive additional units (e.g., 10–20% of the total units) are built, with preference for buying or renting such properties going to municipal employees or to senior residents. Controls on future rents or sales prices can also be established.

These new zoning regulations can work together to form an integrated land-use management approach for the Town. For example, some property could fall in more than one zoning district –e.g. a hamlet district and a planned purpose development. When a developer agrees to meet the Town's specific objectives for a planned purpose development - senior or affordable housing, or creation of a traditional walking neighborhood -- the Town could relax appropriate zoning requirements that prevent such development under today's zoning.

Land use management has seen many innovations recently as communities strive to establish and protect their visions and goals. Regulations are developed to encourage new opportunities and to defend against new threats. The CPB recommends the Town be open to new and innovative land use practices to promote the goals of the Comprehensive Plan.



**Town of Milan Comprehensive Plan****3. Course Changes for Milan****D. Conservation Subdivisions**

The CPB recommends that the Town Board pass zoning and subdivision regulations that will require developers to protect our environmental resources and rural landscape through the use of conservation subdivisions. Under New York State law, conservation subdivisions are a form of clustering. The goal of a conservation subdivision is to site the development in ways that retain valued natural features of the land. Today, conservation subdivisions can be required by the Planning Board; they should be required for all development proposals in the proposed Rural Space Overlay Zone. Setting clear environmental standards in our Comprehensive Plan, Town regulations and Planning Board procedures will expedite the application process for developers who further the vision of Milan and plan their subdivisions accordingly.

**E. Density Planning Guidelines**

The Comprehensive Plan Board recommends that the Town establish a density benchmark as a guide for future planning and assessment of the effectiveness of the tools outlined. The U.S. Census can provide only an imperfect measure of the Town's actual developed status, since approximately 20% of the Town's population (weekenders and part-time residents) is recorded elsewhere in the census. If we are to use the Census as a measure of density, it would seem prudent to adopt a density benchmark of 120 people per square mile, about twice the population recorded in the 2000 census. The real population, in terms of housing developed, would bring the total population, including those not counted in the Milan census, to approximately 150 per square mile. Workshop feedback has strongly endorsed keeping the level below 150, including all housed populations, to preserve the natural resources and rural character of Milan. This density benchmark is intended only as a planning guideline. It is neither practical nor legal to legislate population size. Having a population benchmark in mind, however, can be useful for examining the effectiveness of zoning and land use decisions over time, and can inform future changes to the comprehensive plan.

**F. Summary**

This Comprehensive Plan is intended to serve the interests of all the citizens of Milan. The CPB developed these recommendations with the public's input in the plan process as well as from research into trends and conditions that exist today. Keeping Milan rural is the central priority of Milan's citizens, which relates very closely to the need to protect our environmental resources and open space.

To accomplish these, the CP proposes limiting development on large rural properties in Milan. The resulting large lots will be of high value, and will also pay relatively higher taxes for our schools and local governments, potentially reducing the relative burden on landowners with smaller properties. The plan also reflects residents' desire to live in a diverse community and for our current residents and their children to have an opportunity to be able to find and afford housing in Milan. Town government does not have the authority to control market prices, and today large lots are no longer affordable for many of the town's residents. Without large lots, however, we will sacrifice our rural residential character and the landscape that makes Milan unique and valued by its citizens. To balance this, therefore, it is imperative that the Town provide some small lot and multifamily housing that is affordable for people of moderate income. We believe this plan, when implemented, will provide the tools to make these goals possible.

**Town of Milan Comprehensive Plan****4. Natural Resources**Chapter Highlights:

The natural resources of Milan—its rocky slopes, water, wetlands, forests, and open space—are valued highly by Milan citizens; these same qualities drive its growth. To ensure that Milan does not sacrifice these unique qualities to overdevelopment by those who would wish to make Milan their future home, the CP recommends regulation of natural resources to protect them for future generations. These regulations address water and wetland resources critical to the quality of our rural water supply, and provide related protection from erosion of steep slopes and ridgelines. The completion of environmental studies and the adoption of critical environmental areas are recommended to better understand and protect our environmental jewels and strengthen the Conservation Advisory Council's guidance on the siting of future development.



## **Town of Milan Comprehensive Plan**

## **4. Natural Resources**

### **Natural Resources**

#### **A. Introduction**

The residents and landowners of Milan have consistently rated protection of the environment and maintenance of the rural character of the Town as interrelated and primary objectives for their Comprehensive Plan that will guide land-use regulation in the Town.

To better address environmental considerations, the Town of Milan joined the Greenway Compact in 2004. The Greenway Compact is a voluntary partnership between the Greenway Council and local communities. The Compact provides valuable guidelines and support for preserving natural resources. Among the guidelines are approaches for saving farmland from development, protecting wildlife habitat and avoiding habitat fragmentation, protecting stream corridors, and protecting wellheads and aquifers. In 2004 the Town also reconstituted an active Conservation Advisory Council. The CAC has served as the natural resources committee supporting the Comprehensive Plan review. In addition, they began to provide the Town Planning and Zoning Boards with their assessments and recommendations with respect to the environmental considerations of development and other initiatives in the Town.

#### **B. Existing Conditions and Trends**

In the past, environmental considerations have been incorporated into Town zoning and decisions on largely an intuitive basis. Much of the Town of Milan is hilly with steep slopes, rock, and shallow soils (see the description of Milan in the appendix, Physiographic Features, a revision of material from the 1986 Master Plan). The topography supports many perennial and seasonal streams; Milan is within the watershed of seven important streams that are part of the larger Hudson River watershed. In addition, the area contains large numbers of wetlands, many smaller than protected by the NYS DEC today. The Town does not have wetlands, stream, steep slopes or ridgeline regulations. Although parts of Milan contain harvestable woodlands, we lack controls on timber harvesting to protect sensitive soils and watersheds. According to a presentation by Red Wing Sand and Gravel, 1.1% of the Town contains accessible sand and gravel deposits.

Today, the only tool in Town zoning for the protection of sensitive environmental resources is the Land Conservation Zone, a designation that has been used to prevent development in some areas with sensitive water resources. This tool should be replaced by thoughtful and scientifically based water resources regulations in the Town. Only in recent years has the information required to more scientifically assess such factors become available with the expansion of GIS data and services through the Dutchess County Planning Department and the Environmental Management Council. Data reviewed on the DEC Environmental Navigator shows no hazardous waste sites or potential pollution sources in Milan other than the Town's active solid waste transfer station. Some citizens, however, registered concern regarding the dangers of extensive use of pesticides, fertilizers and herbicides.

To make more science-based decisions requires data. A natural resources inventory has not been completed for the Town; however, it has been initiated by the CAC with completion scheduled for fall 2005. It will provide robust scientific underpinning for environmental assessments and recommendations consistent with the requirements of the State Environmental Quality Review Act whenever Town boards make decisions. The Greenway Compact also provides guidance regarding the use of such data to protect the environment and manage growth consistent with its protection and the wishes of the citizens of the region.

The Town is a participant in the Wappinger Creek Watershed Management Council, recognizing the importance that Milan's watersheds play with respect to the water resources of our regional community.

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**Town of Milan Comprehensive Plan****4. Natural Resources**

Wetlands regulations have been adopted in many Dutchess County municipalities, in part to address the weakening of federal wetlands protection by the Army Corps of Engineers. In addition to a natural resources inventory, which is compiled largely from existing data, the National Wetland Inventory is a valuable tool for assessing wetlands. However, this has not been completed for the northern portion of Town, one of few such areas in Dutchess County. This data is particularly important if the Town is to have meaningful wetlands regulations. The Town's population relies on private wells. To maintain water quality, regulations to protect wetlands, streams, lakes, and aquifers are of critical importance for the Town. A further area, which has received little attention in the past, is the Town's biodiversity. The presence of threatened or endangered species and their habitat, and other biodiversity observations, need to be incorporated into the natural resources inventory.

**C. Goals and Visions**

The Community Priorities Survey conducted in the year 2000 demonstrated the high degree of support for environmental issues, with 88.9% supporting a requirement for developers to dedicate land to open space. The physical features of the Town listed in the survey were considered important to maintain by large majorities of the respondents (see appendix). This sentiment was reinforced in the May 2004 Public Workshops, in which the environment was the greatest concern of the participants. The rural character and environmental resources, including open space and wildlife habitat, were among the things most valued by residents.

Development of the Natural Resources Inventory will help bring more scientific considerations to Town zoning and land-use planning. The Comprehensive Plan establishes the foundation that can enable the Town to protect its environment and biodiversity and to encourage a meaningful and science-based role in support of the development of Town land-use regulations and decisions by the Town, Planning and Zoning Boards.

The Comprehensive Plan, when adopted by the town, can also establish the foundation for the protection of Critical Environmental Areas as defined by the NYS Environmental Quality Review Act. A Critical Environmental Area (CEA) is any area of the town that is of particular environmental, scenic, cultural, or historic importance, as designated by the Town, Planning, or Zoning Board. CEAs are a useful tool for identifying and protecting sensitive areas that should be examined carefully with extra concern for preservation when development is proposed.

The use of the Greenway Compact guidelines regarding development considerations, including the protection of dark skies, open space, green buffers, and a quiet environment will also assist the Town. The protection of the rural character most prized by Milan residents will be aided by knowledgeable use of a natural resource inventory including soil, slope, water resources, habitat and other maps by an involved and effective CAC.

**D. Recommendations**

1. Commit to the maximum extent possible to science-based decision making:
  - Require CAC review of all development proposals.
  - Integrate Habitat Assessment Guidelines into subdivision and site plan processes.
  - Participate on the Dutchess County Environmental Management Council and the Wappinger Creek Watershed Committee and involve them on significant projects for their guidance and advice.
2. Complete a Natural Resources Inventory for the Town as soon as possible and adopt associated maps as official maps of the Town for planning purposes.



## **Town of Milan Comprehensive Plan**

## **4. Natural Resources**

3. Conduct, as soon as possible, a Town-wide habitat analysis and create a habitat map for the Town.
4. Establish, as soon as possible, which locations have particular environmental value or sensitivity and create an environmental overlay for the Town, to be adopted as an official town map.
  - Define and identify ridge lines.
  - Define and identify steep slopes.
  - Define and identify scenic roads and vistas.
  - Identify prime and important agricultural soils, as well as soils with significant development constraints.
  - Define and identify threatened, endangered, and rare species of local significance and their probable habitat.
  - Define and identify water resources.
  - Define and identify areas containing gravel and sand.
5. Manage development on environmentally constrained lands to preserve environmental values
  - Encourage conservation easements.
  - Utilize conservation subdivision (clustering) approach to preserve open space, protect more sensitive lands, and limit habitat fragmentation.
6. Protect environmental values by restricting development and use of sensitive lands and resources through:
  - Town water resources ordinances.
  - Ridgeline protection regulations.
  - Establish Critical Environmental Areas (soils, slopes, water resources, habitats, scenic, cultural and historical resources) in the Town Zoning Regulations.
  - Abolish or redefine the Land Conservation Zone, replacing the protection it was intended to provide by more specific and targeted environmental regulations.
  - Control logging and excavation through Town permits to ensure protection of sensitive lands, soils, and water resources.
7. Attach and emphasize the Greenway Compact Guidelines as an addendum to development regulations.
8. Encourage and support the CAC to advance community awareness and education to advance the environmental health and enjoyment of our citizens.
  - Encourage the use of organic pesticide, herbicide, and fertilizer alternatives.
  - Disseminate information on Milan's environmental values and opportunities.
9. Maintain aspects of rural character—dark skies and quiet—through application of Greenway lighting guidelines to all development and the establishment of noise ordinances.
10. Establish a trails committee or association to identify opportunities and create a plan to build an interconnected trail system. An ordinance to except trails from our current roadway widths will be needed.
11. Maintain sensitivity to local air quality issues; study the impact of outdoor burning and outdoor furnaces.
12. Participate as a SEQR interested party in development matters in other municipalities when they affect Milan.

### **E. Implementation Strategies**



## **Town of Milan Comprehensive Plan**

### **4. Natural Resources**

The following strategies will aid in the realization of cultural and natural resource objectives.

1. The CAC has obtained grant assistance to undertake the Natural Resources Inventory and will work with the Planning Board and the Town Board to fulfill the requirements to officially complete this work.
2. The CAC has obtained support for Biodiversity Training offered by the Hudson River Estuary Program and Hudsonia, and has a number of members trained to undertake habitat analysis mapping in the Town.
3. The CAC has obtained support from the Hudson River Estuary Program for a water resources study and hopes to obtain additional support from Dutchess County.
4. Funds will be required for the studies outlined, for the professional support to draft new regulations, and for community outreach. The CAC and the Town Board should avail themselves of any avenues of financial and professional assistance through grants or other support as are available through county, state, federal, or nonprofit organization resources.
5. The Town Board, Planning Board, and Zoning Board of Appeals should consult with the CAC whenever land-use decisions are considered to gain the benefit of their perspectives.

## Town of Milan Comprehensive Plan

## 5. Historical Resources

### Chapter Highlights:

Milan is fortunate to have a number of buildings and historic vistas that date to the early history of the Town and are an important part of our rural heritage. Designation of the most significant of these as critical environmental areas will enable special consideration in our planning and subdivision processes. The CP also recommends a program of recognition be instituted for property owners who preserve historic buildings.



**Town of Milan Comprehensive Plan****5. Historical Resources****A. Introduction**

To review the historical resources for the 2005 Comprehensive Plan, the Town Historian, Patrick Higgins, led a committee with Richard Plass and Tom Daily. They reviewed the recommendations and the status of 62 historic resources identified in the 1986 Master Plan, and concluded that the list did not represent a complete list of the homes that should appear on an inventory of historic homes. A decision was made to address important historic structures other than homes (with a couple of notable exceptions), and to document some of the historic areas remaining in Milan today. An assessment was also completed of Milan's cemeteries. The chapter on "Historic Resources" contained in the 1986 Master Plan remains a viable inventory for historic preservation in the Town and it is included in the appendix.

**B. Milan Historic Structures**

The following historic sites in Milan warrant special consideration as land use and development decisions are made to preserve the historic character of these sites for future generations.

1) The Lafayette House in Lafayetteville built in 1824 and was a hotel and a stage coach stop. Its historic fabric has been modified by various additions and renovations over the years. Some may have been completed without the appropriate permits from the Town.

2) The Rowe Church is a very significant building in the town for both its Greek Revival architecture and, along with the Rowe Parsonage, its continuing role as the last and only place of worship in Milan today. The founder, Johannes Rowe (Rau), purchased 911 acres of land in Milan in 1760. In 1800 he established a Methodist church in the town known as "Rowe Methodist Church." The original Rowe house was across from the church. Coupled with the Victorian Shelley home (1860) set back along Rowe Road, these structures complete a visual setting that is a most significant historic vista. This area deserves protection from encroaching commerce and modernity.

3) The Jackson Corners Store at Jackson Corners was established in 1773 by Hugh Rae, who was born in Ireland in 1741. He came to America in 1758; in 1767 he married Margaret Knickerbocker, the daughter of Peter Knickerbocker who owned the property where the store is located. Rae was a patriot, serving as Captain of the North East Company of the First Regiment in the American Revolution. He was a signer of a protest document against the English government in 1775. Due to Rae's involvement in the American Revolution, the store did a lively trade with the Continental Army—which nearly proved disastrous, as payment for provisions was made in Continental script. Over the years the general store served as a stage-stop, a hotel, a doctor's office, post office and polling place. "The Jackson Corners Association for Detention of Horse Thieves", still in existence, was organized in 1871, and held their early meetings in the store.

4) The Fulton Homestead. First owned by John Fulton, the deed was recorded October 12, 1795, before the founding of Milan; the homestead was in the Fulton family until 1933. Located on Fulton Homestead Road, a short dirt road that was originally part of Turkey Hill Road until the road was straightened, the classic home and barns are sited close to the road and provide an excellent perspective of Milan in its earliest days.

5) The Ruins of Shookville Church. The church was build by the Shook brothers in 1834 to serve the Milan community. The ruins are in very bad shape and are getting worse with each passing year.

6) The Wilcox House in Wilcox Park. The house was the residence of the Great Lady of Milan, Irene Wilcox. Mrs. Wilcox, in memory of her husband and her son who was killed in an auto accident, Adopted August 13, 2007

## Town of Milan Comprehensive Plan

## 5. Historical Resources

bequeathed the house and land to Dutchess County. Contrary to her will, the house has fallen into decay. Mrs. Wilcox also donated to Milan its Town Hall and funds for its maintenance, as well as endowing the upkeep of the Rowe Church and numerous area cemeteries. Much of the character of Milan today is a tribute to her generosity.

7) Rock City Grange Hall. Now a commercial establishment, Sheep's Clothing, in Rock City, the Rock City Grange recently celebrated its 100th anniversary.

8) Milan Railroad Station. The Rhinebeck and Connecticut Railroad was incorporated in 1871. Thomas Cornell, owner of the Cornell Steamship Company and president of the Roundout and Oswego Railroad, devised a plan to transport coal from Kingston to New England. The coal would come across the Hudson River in barges to Rhinecliff; from there it would be transported by rail to New England. The route originated in Rhinecliff and swung north via Red Hook, then northeast to the Cokertown Station at Spring Lake Road. The next stop was Jackson Corners. The former railroad station is now a private house and stands on the banks of the Roeliff Jansen Kill east of Academy Hill Road. The old rail bed is still visible in the woods. It continued north to Columbia County and on to Connecticut. In 1874 its new line was already hauling freight and in 1875 it began a passenger service. The passengers claimed it went so slowly they could pick huckleberries from the bushes as they passed; thus the nickname The Huckleberry or Hucklebush Line. The line ceased operations in the early twentieth century.

9) Battenfeld's Greenhouses. In 1906, two immigrants from Germany, Fred and Frank Battenfeld, purchased a farm on Milan Hill Road and entered the violet business, an industry introduced to the Rhinebeck area in the latter part of the nineteenth century. By 1928, changing fashions brought a decline in the violet business. In 1930, the Battenfelds sold their farm on Milan Hill Road and purchased property on Route 199. They built greenhouses and switched from growing violets to anemones. They are one of the major growers of anemones today. In 1949, Richard Battenfeld, the present owner's father, also started a Christmas tree farm. The greenhouses and plantations are a prominent view along Route 199.

### C. Milan Cemeteries and Archaeology

Milan's heritage is also represented by its cemeteries. Milan's cemeteries are scattered all over its landscape; some are backyard family plots. Many burial spots have been lost through the years; however, the major burial grounds in the town are known. These cemeteries reflect the history of the early residents of Milan and are a visible reminder of the continuity of time and institutions so important to a town's character.

1) Teats Cemetery. East of Shookville, abandoned but being maintained.

2) Shookville Cemetery. Beside ruins of the Shookville, abandoned but maintained.

3) Yoemans Cemetery. Lafayetteville, abandoned but being maintained by the town of Milan.

4) Indian Burial Ground. Jackson Corners, abandoned, not being maintained, status of deed not known.

5) Quaker Cemetery. Morehouse Lane. Now the property of the town of Milan, it is the burial site of the first supervisor of the Town of Milan, Stephen Thorn, and his wife.

6) Rowe Cemetery. Route 199, associated with the Rowe Church and still being used.

7) Milan Union Cemetery. Milan Hollow Road, maintained by a cemetery committee and still being used.

8) Ferris Cemetery. Ferris Lane, abandoned but on private property.

There are also many private burial spots in Milan that were used just for the immediate family.

The New York State Historical Society has identified the northwest corner of Milan as a site of archaeological importance. Lake Warackamak's name may reflect Native American history; it is so-  
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## Town of Milan Comprehensive Plan

## 5. Historical Resources

named on maps from the eighteenth century, long before Milan's founding. Arrowheads or points found in this area have been dated at around 3,000 years old. More work should be done to understand this history. Specific sensitive archaeological sites are not established at this time for Town planning purposes.

### D. Historic Hamlets and Areas of Town

1) Lafayetteville. Among the first settlers in Milan was the family of Maltiah Bowman. They arrived in Dutchess County around 1780 and settled in what is now Lafayetteville, at the current intersection of North Road and Route 199. They were a prosperous family and built a house where the present Lafayette House now stands. The present Lafayette House was built in 1824 and was a hotel and a stage coach stop. In 1824 the Marquis de LaFayette visited the area and the hamlet took its name from LaFayette. It was a prosperous community, rich in trade; it remained that way until the railroads came to Pine Plains and the business followed the railroads.

2) Rock City. In 1799, John Travers purchased 129 acres of land in what is now Rock City. He built a grist mill there, and was later joined by Henry Travis, who built a saw mill. The population grew and so did business in the hamlet, located at the intersection of Route 199 and Route 308. It was originally known as Travers Mill until the name was changed to Rock City.

3) Jackson Corners. Jackson Corners was once a commercial crossroads at the junction of roads to the Hudson River, Taconic iron mines and Connecticut. It was a stopping point for the stage on the Nobletown Road and later a stop on the Rhinebeck and Connecticut Railroad.

4) Case's Corners. Formerly known as Milanville, it also was a busy hamlet. Stephen Thorn (the first Milan Town supervisor) owned a store and ran a post office there. In October 1818, he decided to change the name of the post office from West Northeast to Milan. (The origins of the name Milan are still unknown.) This area takes its name from a later merchant, Rensselaer Case, who ran the post office there in 1867.

5) Wildey's Corners. The Wildey family purchased one of the original lots, #19, from the Little Nine Partners patent, a large tract of land granted by the British Crown. James Wildey took possession of it in 1806. It remained with the Wildey family until sold by Emery Wildey in 1940. The original house, built in the early 1800s, remains occupied and represents a design style common at that time in the Milan township.

### E. State Historic Markers

Four locations in Milan were recognized with New York State historical markers when this program was active. Noted above are three of them: the Jackson Corners Store, the Fulton Homestead, and the Indian Burial Ground. The fourth is Nobletown Road, which before 1798 ran from the post road in Livingston, through Gallatin and Ancram and into New England.

### F. Previous Recommendations

The 1986 Master Plan recommended that the actions listed below be taken to preserve Milan's past. These items remain to be completed.

- Define a historic overlay district for the town.



**Town of Milan Comprehensive Plan****5. Historical Resources**

- Amend land use regulations to include the protection of historic resources.
- Provide accommodations in Town Hall for the Town historian to store, access and utilize historic records.
- Continue the historic structure inventory work, using the Building Structure Inventory Form developed by the Division of Historic Preservation, New York State Parks, Recreation and Historic Preservation, or an appropriate Town form.

**G. Goals and Visions**

The citizens of Milan value their historic resources. In the 2000 survey, 88.1% of respondents indicated that “preservation of architectural character and historic places is important,” and 85.9% said that it was “Most important/important” to maintain historic structures. It is important that Milan understands and appreciates its cultural and historic resources (e.g., structures, cemeteries, and historic sites, including Native American archaeology) and that the Town supports their protection and preservation through appropriate land use regulations.

**H. Recommendations**

- 1) Complete a historic structure inventory on historic homes as recommended and identified in the previous Master Plan.
- 2) Create a Historic Overlay District in the Town zoning regulations or incorporate historic structures into the definition of Critical Environmental Areas; display these sites on appropriate maps and provide guidance to the Planning Board regarding development in the vicinity of historic structures.
- 3) The Town Historian should explore avenues to maintain ruins of the Shookville Church and recommend appropriate action to the Town Board.
- 4) The Town should review the County’s stewardship of the Wilcox House and take appropriate action to respect the requirements of Irene Wilcox’s will.
- 5) The Town Building Inspector should review the status and use of the Lafayette House.
- 6) The Town Historian should initiate, as appropriate, steps for the Town to take over and maintain abandoned cemeteries.
  - a) Teats Cemetery (maintained by Shookville Cemetery Committee, exposed in perpetuity)
  - b) Shookville Cemetery (same, maintained by Shookville Cemetery Committee)
  - c) Yoeman’s Cemetery (abandoned but being maintained by town of Milan)
  - d) Indian Burial Grounds (not being maintained, very small area, few stone markers)
  - e) Ferris Cemetery (abandoned and on private property)
- 7) The Town should develop criteria for and establish a Milan Historical Site program to provide recognition to property owners who preserve historical properties and to provide special consideration regarding impact of surrounding development through the Historic Overlay District or Critical Environmental Area designation.
- 8) The Town should explore known information on archeological sites in Milan, and evaluate appropriateness of further archeological studies.
- 9) The Town should prepare a brochure on the history of Milan.

**I. Implementation Strategies`**

- 1) Seek grants or aid to assist in completing the historic structure inventory.
- 2) Use the historic structure inventory to prepare Historic District Overlay guidelines.
- 3) Provide office and dedicated storage space for Town historian.

## **Town of Milan Comprehensive Plan**

## **5. Historical Resources**

- 4) Utilize town web site to expand awareness of Town history and seek materials and volunteers to assist the Town historian.
- 5) Seek grant moneys to complete a history of Milan booklet.
- 6) Seek grant moneys to conduct an archeological review of Town of Milan.